

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

RANDALL STEVENS,

Plaintiff,

v.

PIERCE COUNTY,

Defendant.

CASE NO. C22-5862 BHS

ORDER

THIS MATTER is before the Court on the NaphCare defendants' motion for reconsideration, Dkt. 54, of the Court's Order, Dkt. 52, denying (or deferring) entry of a stipulated order of dismissal, Dkt. 51. The Court sought a response from now pro se plaintiff Randall Stevens, but he has not filed anything. It appears that Stevens does not have a permanent address and his prior attorney, Jackson Millikan, withdrew in part because he had difficulty communicating with Stevens. Dkt. 48.

In any event, the NaphCare defendants persuasively assert that, as Stevens's attorney, Millikan was authorized to stipulate to the dismissal of Stevens's claim against them arising out of his "second jail stint." Dkt. 51. Millikan signed the stipulation and

1 affirmatively represented that he had his client's authorization to dismiss some of the  
2 claims he asserted against some of the defendants in this case. Dkts. 53 and 54.

3 The Court agrees with the defendants. The NaphCare defendants' motion for  
4 reconsideration, Dkt. 54, is **GRANTED**. Consistent with the parties' stipulation, Dkt. 51,  
5 all claims plaintiff Randall Stevens asserted, or that he could have asserted against  
6 Wendy Batchelor, Ashley Chalk, Danielle Seymore, James Githui, Robert Wargacki,  
7 Medical Nurse Doe 1, and NaphCare, Inc. are **DISMISSED** with prejudice and without  
8 cost to any party.

9 Stevens's motion for reconsideration, Dkt. 33, of the Court's prior Order, Dkt. 32,  
10 is **DENIED** as moot.

11 Stevens's claims against Pierce County and its deputies remain. The remaining  
12 parties shall file a Joint Status Report addressing next steps in the case, including  
13 discovery, motion practice, experts, and a trial schedule, within 30 days of this Order.

14 **IT IS SO ORDERED.**

15 Dated this 19th day of December, 2023.

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18 BENJAMIN H. SETTLE  
19 United States District Judge  
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